

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-97-0202 LKK PAN P

vs.

SPENCER SAWYER,

Movant.

ORDER

On October 24, 2002, movant filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Pursuant to the August 16, 2004 order of the United States Court of Appeals for the Ninth Circuit and the December 1, 2004 order of the district court, and good cause appearing, IT IS HEREBY ORDERED that:

1. Respondent shall file an answer to movant's claim of juror misconduct within thirty days of the effective date of this order. See Rule 4, Rules Governing Section 2255 Proceedings. Respondent shall include with the answer any and all transcripts or other documents relevant to the determination of the issues presented in the motion. Rule 5, Rules Governing Section 2255 Proceedings.

2. Movant's traverse, if any, is due on or before thirty days from the date respondent's answer is filed.

1 3. The Clerk of the Court shall serve a copy of this order, together with a copy of
2 the August 16, 2004 order of the United States Court of Appeals for the Ninth Circuit, the
3 December 1, 2004 order of the district court, and movant's October 24, 2002 motion, on the
4 United States Attorney or his authorized representative.

5 DATED: February 23, 2006.

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8 UNITED STATES MAGISTRATE JUDGE

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